



## ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

Age: 2		<p><b><u>TEMPORARY EXPIRES 12/05/11</u></b></p> <p><b>COLLEEN CARLSON</b>, paternal grandmother, is Petitioner.</p> <p>Father: <b>RYAN LUSK</b>, <i>consent and waiver of notice filed 02/04/11.</i>  Mother: <b>KATIE LUSK</b>, <i>personally served 02/06/11.</i></p> <p>Paternal Grandfather: <b>STEVE LUSK</b>, <i>consent and waiver of notice filed 02/04/11.</i>  Maternal Grandfather: <b>RANDALL LEON FACKLAM</b>, <i>Declaration of Due Diligence filed 02/04/11.</i>  Maternal Grandmother: <b>KIM ANAYA</b>, <i>served by mail 02/07/11</i></p> <p>Petitioner states that minor's mother is using illegal prescription drugs regularly, not taking her medication for bi-polar disorder, and living with her boyfriend in a shed without proper heat, running water or a bathroom. Minor's father is currently deployed in Afghanistan and therefore cannot care for minor.</p> <p><b>Court Investigator Jennifer Young's report was filed 03/21/11.</b></p> <p><b>Declaration of mother, Katie Lusk dated 03/28/11</b> chronicles her visits and efforts to have contact with minor, and provides pictures of her current and previous living arrangements.</p> <p><b>Court Investigator Jennifer Young's supplemental report was filed 04/27/11.</b></p> <p><i>Please see additional page</i></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b><u>CONTINUED FROM 09/19/11</u></b>  Minute Order from 09/19/11 states: Visits for Katie Lusk are ordered to take place through CYS, Comprehensive Youth Services. Katie Lusk is to have reasonable supervised visits as mutually agreed to by Katie and Colleen Lusk, arranged by CYS. The Court trusts further visits with the parties are better served in the Family Court. If a copy of a signed Family Law order is submitted to the Probate Court prior to 12/05/11, then the 12/05/11 date shall be removed from Calendar.</p> <p><b>Note:</b>  Order and letters list Petitioners name as Colleen Lusk, however previous order/letters and Petition has her name as Colleen Carlson. Court may require clarification.</p>
DOB: 07/23/08			
Cont. from 032811, 050211, 062011, 091911			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
✓	Pers.Serv.		
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		

Updates:
Contacts: copy of notes in file
Recommendation:
Reviewed by: JF/KT/JF
File 4 - Lusk

**Declaration of Petitioner, Colleen Carlson, filed 04/29/11** states that since the last court appearance on 03/28/11, she has enrolled minor in a licensed day-care/pre-school. Petitioner also states that she administered drug tests to mother on two occasions before visits. Petitioner states that she had mother go through a witnessed collection and she had the mother watch as she sealed the sample and they both watched as the results showed positive. Further, she states that she then sent the samples to the lab for written results. The first drug test was administered on 04/03/11 and the mother tested positive for marijuana. The second test was administered on 04/10/11 and the mother tested positive for marijuana and methamphetamines. Attached to the declaration are the lab results of both drug tests. On the evening of 04/10/11 after the mother's visit, police arrived at Petitioners home for a "wellness check". Officers came into her home and left shortly after arriving stating, "there is nothing wrong here". According to the police department, the mother called and reported to police that Petitioner and her husband were high. Petitioner states that she then advised mother that all future visits would have to be through an agency. Petitioner states that the mother has not visited with minor since that time. Petitioner states that mother has threatened to kill her in the past and has threatened that if things do not go well for her, she will claim that Petitioner's husband molested minor. Petitioner also attached print outs from mother's facebook page showing that the mother's family is also concerned about mother's drug use. Finally, Petitioner states that the minor is thriving under her care and loves daycare.

**Declaration of mother, Katie Lusk, filed 04/29/11** states that she feels it is in the child's best interest for the child to be in her care as she has been the minor's caretaker since birth and that she has a safe, clean and healthy home for minor. She states that she has heard that the minor's behavior has been affected by all of the changes. Mother further declares that she and her boyfriend, Anthony Stewart, are on the waiting list to start a 15 week parenting class through Exceptional Parents Unlimited. Mother also states that she has been seeing her psychiatrist with her last visit being 04/26/11. She further states that she has signed a consent form for the Court Investigator to obtain information from her doctor. Mother states that she feels that the court may have been misled by statements made by Petitioners and wants her daughter returned to her care.

**Declaration of Anthony Stewart, mother's boyfriend, filed 04/29/11** states that he has been falsely accused of selling drugs and that he has a spotless criminal record. He further states that he has a wonderful family and would never do anything to jeopardize losing them.

**Declaration of Colleen Carlson, filed 06/17/11** states that the mother, Katie Lusk, tested positive for marijuana on 05/25/11, suffered a miscarriage on 06/06/11, was kicked out of beauty school for not attending and did not attend the ordered supervised visits until early June 2011. Ms. Carlson further states that the minor is doing great and loves attending her pre-school.

**Status Hearing Re: Petition of Trustees for Instructions and Confirmation of Report of Trust Administration, First and Final Accounting, and Proposed Final Distribution of Trust Estate (Prob. C. 17200, et seq)**

		<p><b>SANDRA EDMISTON and SHERIDAN RODKEY, as Trustees of the BETTY LAHARGOUE LIVING TRUST</b> filed a <b>Petition for Instructions and Confirmation of Report of Trust Administration, First and Final Accounting, and Proposed Final Distribution of Trust Estate on 08/18/11</b> with a hearing set for 10/03/11.</p> <p><b>Objections to Fiduciaries' Account and Request for Surcharge of Fiduciary and other Remedies</b> filed 09/28/11 by PEGGY WALTON, contestant and trust beneficiary.</p> <p><b>Minute Order from hearing on 10/03/11</b> set this matter for status and states: Mr. Matsumoto is appearing via conference call. The Court orders that there be no expenditures by the trust without a noticed hearing and order of the court. The Court advises counsel that it will entertain an order shortening time.</p> <p><b>First Supplement to First and Final Account</b> filed 10/04/11 by Trustees Sandra Edmiston and Sheridan Rodkey supplements the First and Final Account included in the Petition filed 08/18/11 without any change, modification, or amendment of any portion of that petition and sets forth the charges and credits the Trustees' were entitled to for the period of 07/12/11 – 08/11/11.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><u><b>CONTINUED FROM 10/03/11</b></u></p> <p>As of 11/23/11, no additional documents have been filed.</p> <p>1. Need Status update report.</p> <p><u><b>Note to Judge:</b></u> There is an order in the file that was submitted in connection with the Petition filed by Trustees on 08/18/11 and heard on 10/03/11. This order distributes the Real Property as Tenants in Common.</p>
<b>Cont. from 103111</b>			
<b>Aff.Sub.Wit.</b>			
<b>Verified</b>			
<b>Inventory</b>			
<b>PTC</b>			
<b>Not.Cred.</b>			
<b>Notice of Hrg</b>			
<b>Aff.Mail</b>			
<b>Aff.Pub.</b>			
<b>Sp.Ntc.</b>			
<b>Pers.Serv.</b>			
<b>Conf. Screen</b>			
<b>Letters</b>			
<b>Duties/Supp</b>			
<b>Objections</b>			
<b>Video Receipt</b>			
<b>CI Report</b>			
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<b>Order</b>			
<b>Aff. Posting</b>			
<b>Status Rpt</b>			
<b>UCCJEA</b>			
<b>Citation</b>			
<b>FTB Notice</b>			
		<p><b>Reviewed by:</b> JF</p> <p><b>Reviewed on:</b> 11/23/11</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 11 - LaHargoue</b></p>	